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VIA EMAIL TO: brodie_chambers@nyed.uscourts.gov

Honorable Margo K. Brodie
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Louis Falcone v. City of New York, et al., 16-CV-3034 (MKB) (LB)

Your Honor:

I am a Senior Counsel in the office of Georgia M. Pestana, Acting Corporation Counsel of the City of New York, and one of the attorneys representing defendants City of New York, P.O. Phillip Alfano, P.O. Erik Miller, P.O. Robert Ramirez, and P.O. Joseph Ranola in the above-referenced civil action. Defendants respectfully propose the following special interrogatories. Defendants have conferred with plaintiff about these proposed questions. Plaintiff has indicated that he will submit a separate letter setting forth his objections, which he has discussed with defendants.

1. On June 19, 2015, was plaintiff visibly injured prior to police officers' arrival at 107 Mapleton Avenue?
2. Did any defendant(s) believe, even if mistaken, that plaintiff posed a risk of serious harm to himself or others?
3. Did any defendant(s) believe, even if mistaken, that plaintiff was screaming after any defendants arrived but before defendants and plaintiff made physical contact?
4. Did any defendant(s) believe, even if mistaken, that plaintiff engaged in violent, tumultuous, or threatening behavior after they arrived?

5. Did any defendant(s) believe, even if mistaken, that plaintiff was under the influence of a drug or narcotic on June 19, 2015?
6. Did any defendant(s) believe, even if mistaken, that plaintiff charged towards Officer Ramirez?
7. Did any defendant(s) believe, even if mistaken, that plaintiff was resisting arrest?
8. Did any of the following individual defendants intentionally stomp on plaintiff's head? (Officer Alfano, Officer Miller, Officer Ramirez, or Officer Ranola)
9. Did any of the following individual defendants intentionally stomp on plaintiff's neck? (Officer Alfano, Officer Miller, Officer Ramirez, or Officer Ranola)
10. Did any of the following individual defendants intentionally stomp on plaintiff's back? (Officer Alfano, Officer Miller, Officer Ramirez, or Officer Ranola)
11. Did any of the following individual defendants intentionally punch plaintiff's face? (Officer Alfano, Officer Miller, Officer Ramirez, or Officer Ranola)

Thank you for your consideration herein.

Respectfully submitted,

/s/Melanie Speight
Melanie Speight
Senior Counsel

CC: VIA EMAIL
Adam J. Roth
Katherine Elizabeth Smith
Plaintiff's Counsel